

INTERNATIONAL SEARCH REPORT

International Lanning
PCT/US03/28782

A. CLASSIFICATION OF SUBJECT MATTER		
IPC(7) : C12Q 1/68; C07H 21/04		
US CL : 435/6; 536/23.1, 24.3		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols) U.S. : 435/6; 536/23.1, 24.3		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) Please See Continuation Sheet		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	BRUNO et al. In vitro selection of DNA aptamers to anthrax spores with electrochemiluminescence detection. Biosensors & Bioelectronics. 1999, Vol. 14, pages 457-464.	1-36
A		37-41
A	US 5,705,340 (RASMUSSEN et al.) 06 January 1998 (06.01.1998), column 1, lines 29-39; column 10, lines 28-40).	1-41
A	US 2002/0095073 A1 (JACOBS et al.) 18 July 2002 (18.07.2002), sections [0094], [0260], and [0267].	1-41
<input type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.		
Special categories of cited documents:		
* "A" document defining the general state of the art which is not considered to be of particular relevance	* "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	
* "E" earlier application or patent published on or after the international filing date	* "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	
* "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	* "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	
* "O" document referring to an oral disclosure, use, exhibition or other means	* "&" document member of the same patent family	
* "P" document published prior to the international filing date but later than the priority date claimed		
Date of the actual completion of the international search 22 February 2005 (22.02.2005)	Date of mailing of the international search report 11 MAR 2005	
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Young J. Kim Telephone No. (571) 272-1600 PATENT EXAMINER	

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BOX II. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claim(s) 1-41, drawn to a method of identifying a nucleic acid ligand and a composition comprising a nucleic acid ligand, particularly said ligand of SEQ ID No. 4.

Group II, claim(s) 42-47, drawn to a composition comprising a nucleic acid ligand, particularly said ligand of SEQ ID Numbers 5 and 6.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

37 CFR 1.475 which governs Lack of Unity practice in International and National Stage Application recites that an international or a national application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn to only one of the following combination of categories:

- 1) a product and a process specially adapted for the manufacture of said product; or
- 2) a product and process of use of said product; or
- 3) a product and a process specially adapted for the manufacture of said product; and a use of said product; or
- 4) a process and an apparatus or means specifically designed for carrying out the said process; or
- 5) a product, a process specially adapted for the manufacture of the said product, and an apparatus or means specifically designed for carrying out the said process.

Instant application contains two different products (*i.e.*, composition) comprising two different nucleic acid ligands (as denoted by their different SEQ ID Numbers). 37 CFR 1.475 states that if an application contains claims to "more or less than one of the combination of categories of invention set forth in paragraph (recited above), unity of invention might not be present. Since the first method and the first composition, categorized by a single category of invention, have already been grouped together, the additional composition would lack unity of invention as being drawn to an additional category. Additionally, the two compositions would lack unity of invention as the special technical feature critical to the invention, that is the SEQ ID Number, is not shared between the two compositions, as their sequences are clearly different (pages 31 and 35).

Continuation of B. FIELDS SEARCHED Item 3:

Non Patent Literature Databases

Patent Databases (USPT, USPGP, EPO, JPO, DERWENT, IBM-TDB)

search terms: anthrax, anthracis, lactamase, matallo and lactamase, SELEX, aptamers, inhibit, treatment.